

TOWN OF GREENFIELD
PLANNING BOARD

August 25, 2020

REGULAR MEETING

An regular meeting of the Town of Greenfield Planning Board is called to order by Tonya Yasenchak at 7:00p.m. The following members are present, Karla Conway, Charlie Dake, Mike Gyarmathy, Robert Roeckle, Tonya Yasenchak, Nick Querques and Joe Sabanos, alternate. Butch Duffney is absent. Mike Waldron, Code Enforcement Officer, and Charlie Baker, Town Engineer, are present.

Minutes- August 11, 2020

MOTION: Roeckle
SECOND: Conway

RESOLVED, that the Town of Greenfield Planning Board waives the reading of and approves the minutes of the August 11, 2020 meeting, with minor corrections.

VOTE: Ayes: Conway, Roeckle, Yasenchak, And Querques
Noes: None
Absent: Duffney
Abstain: Dake, Gyarmathy, and Sabanos

OLD BUSINESS & PUBLIC HEARING

Oxmoor Associates Case # 637
TM# 153.13-1-4

SightPlan Review
499 Route 9

Corrina Martino is present. C. Martino states they were given 5 items at the last meeting. The first one was the drainage and she addressed that with EDP. The second was the business sign that is now shown on the plan along with a schematic of what it will look like. The trash container location is now shown on the plans. The alternate trash container will be in the garage. They added some additional landscaping buffer to the rear property line. They did receive response from SHPO. She states they are seeking SightPlan approval for a mixed use. Currently this is a two family residence and the applicants are looking to convert the lower level into an office and the second floor would remain a residence. They are adding additional parking to meet the requirements for the office. It is going to be a one way in and a one way out. There will be some minor landscaping and lighting. T. Yasenchak opens the public hearing at 7:08 p.m. No one is present to speak on behalf of this project and there is no correspondence T. Yasenchak closes the public hearing at 7:09. She states that this project went through the ZBA for a couple variance and had a public hearing for that. T. Yasenchak

asks if the trees are on the property line that would form the buffer. C. Martino states that what she has marked on the plans is that the contractor will have to locate at least one tree of size and health to substitute. If that cannot be found they will add vegetation. T. Yasenchak asks where is that note (on the plans). C. Martino states it is on the landscaping plan which is on C3. T. Yasenchak asks C. Baker how were the engineering items addressed. C. Baker states the only concern he had was related to the drainage from the additional parking spaces and what they have done to address that is they put in a dry swail. It is lined with rock ridge wrap and that will take care of the sheet drainage flowing onto Route 9. That was the only engineering comment that was outstanding. T. Yasenchak states that part of the reason why she had asked them to get a letter from SHPO was because there was a check from the computer program that there was archeological history there. The Authorization of Agent/Corinna Martino did get a letter from SHPO that there is no potential environmental impacts under SEQRA for any historical or archeology issues. They had also provided SEQRA and made a small modification to it. C. Martino states there is a slight disturbance because they included the swail out front ever so slightly. T. Yasenchak asks if total disturbance under question number three. C. Martino states correct.

RESOLUTION-Oxmoor Associates, SEQRA

MOTION: Roeckle
SECOND: Sabanos

RESOLVED, that the Town of Greenfield Planning Board completes Part II of the Short Form SEQRA. All questions are answered "no" and the second box is checked, indicating that this will not result in any significant negative environmental impacts for the Sight Plan Review of Oxmoor Associates for property located at 499 Maple Avenue, TM# 153.13-1-4.

VOTE: Ayes: Conway, Dake, Gyarmathy, Roeckle, Sabanos, Yasenchak, and Querques
Noes: None
Absent: Duffney
Abstain: None

RESOLUTOIN-Oxmoor Associates, SightPlan Review

MOTION: Roeckle
SEDOND: Sabanos

RESOLVED, that the Town of Greenfield Planning Board hereby grants approval of SightPlan, for Oxmoor Associates, 499 Maple Ave, TM# 153.13-1-4.

VOTE Ayes: Conway, Dake, Gyarmathy, Roeckle, Sabanos, Yasenchak, Querques
Noes: None
Absent: Duffney
Abstain: None

OLD BUSINESS WITH NEW SUBMITTAL

Bonacio Construction Case # 638
TM# 150.-2-77

Minor Subdivision
King Road

Doug Heller and Tony Bonacio are present. Doug Heller states this project is a Minor subdivision. He states there was a lot of concern from the Board regarding the shared

driveway. There was discussion about doing a Home Owners Association with the shared driveway. They decided to change to a two lot subdivision with each lot having their own separate driveway. The driveways will be each 10' wide each right next to each other, 20' together. Each driveway will have a pull off every 500'. The other thing that they did was Creighton Manning went out to the sight and did a sight distance analysis for them. Coming out of the driveways and looking to the right there is adequate sight distance. Looking to the left there is a little bit of a hump that prevents getting adequate sight distance. They also looked at neighboring properties. To the south there is actually a hidden drive sign. They also asked Creighton Manning (right now the road is posted for 40 M.P.H.) to see what the road would have to be posted at to get adequate sight distance. The answer was 35 M.P.H. What they found is that most people were traveling 45 M.P.H. He states that they want to talk to the Highway Superintendent to see if the Town could reduce the speed limit to 35 M.P.H. He states that he is hoping that the Board will take lead agency. They do have a DEC buffer. T. Yasenchak asks if they have a letter from Creighton Manning. D. Heller states that it is an actual report. T. Yasenchak asks what is the difference they need for the sight distance. D. Heller states what Creighton did was go out there and measure from the actual distance and DOT actually recommends 85 percentile (that means 85% of the people were traveling slower than that speed). So at 85% they measured at 45 M.P.H. for the sight distance requirement. The recommendation is 430' turning right from the driveway and available is 253' looking from the left. T. Yasenchak asks what is the speed limit there. D. Heller states the speed limit is 40 M.P.H. What they determined was the 85 percentile was traveling at 45 M.P.H. With that 45 M.P.H. traveling right. Turning right and looking to the left 430' is recommended and what is available is 253'. T. Yasenchak states that looking right was ok. D. Heller states yes. T. Yasenchak asks was that from the driveway using intersection standards. D. Heller states yes they did intersection and stopping sight distance. T. Yasenchak asks if they did it based on the 45 M.P.H. D. Heller states yes. T. Yasenchak asks if they have any other evidence as to 45 M.P.H. because that was what people are actually going. Do they have any other evidence for 40 M.P.H. That is very thorough the Board does not rule on someone breaking the law. Do they have any information on that or does it not make a difference. D. Heller states that they still don't meet the sight distance because they would have to be at 35 M.P.H. to meet it. They would not meet the sight distance anyway. M. Gyarmathy states that some of our roads are 40 M.P.H. T. Bonacio states that back in 2014 it was posted at 25 M.P.H. The sign is no longer there. M. Gyarmathy states that he is curious what it would be at 40 M.P.H. C. Baker states typically the Board would review as the posted speed limit. The 85 percentile could possibly help them, because when they do the 85 percentile study it can sometimes document that that section is slower. In this case it didn't help them. In this case it would be required to meet the intersection sight distance for a 40 M.P.H. speed limit because that is what it is posted at. As far as going to the Highway Department for a speed reduction, that doesn't usually work very well. The Town does not really have the right to change the speed limits. It is more of a State driven thing. The Town funding comes from the State, they have follow the guide lines that are directed to them. It's very difficult to get speed limits reduced. He has not seen the Creighton Manning study but it sounds like when he looked at it he suspected that it did not meet the 40 M.P.H. posting that is why he raised the question. Right now they have one lot there and they have a right to build a driveway there. Once you start a subdivision you start stepping into the responsibilities of the Town to make sure if they create more than one driveway there, could be more liabilities. D. Heller states that he agrees with him and what they were hoping was that this is not isolated. (It's not just one property that is not meeting the sight distance it is actually a bunch of different driveways). C. Baker states the only other issue he has is the drainage. He would like to see some kind of a storm water drainage management at the bottom of the hill before it goes into the wetlands. Also an updated SWPPP will be required. His biggest concerns are the driveways and the speed limit. N. Querques agrees. J. Sabanos states that

his concern is the storm water. M. Gyarmathy states he agrees with R. Roeckle and likes that it went to two lots. C. Dake and K. Conway agree. T. Yasenchak states that if it is one lot it will be one driveway. She is concerned about safety. It is a tough call because it is one more residence. It is also a precedent. The Board can't make a safety decision based on other pre-existing homes and driveways that may not be conforming. The Board does not want to create another difficult situation. Perhaps there is something that can be done in the right of way up to help with that. D. Heller states it's the road itself. R. Roeckle states that it is the extent of it. T. Yasenchak agrees. If the applicant can prove the uniqueness of it and fine tune those numbers the Board could perhaps make a determination based on the uniqueness of the property on that street. R. Roeckle asks C. Baker if there is any consideration with signage like hidden drives in the regulations. C. Baker states you can only use the signage for warning. The signage is not regulatory whereas the speed limit is regulatory. Warning signs are exactly, that warning. They are not regulated. He has seen decisions in the past that cannot mitigate sight distance with signage. T. Yasenchak states that the Board has seen, although it might be difficult, they have seen applicants roads speed limit reduced. It is a Town Board thing and as the Town Engineer stated, the State. She believes it was Lester Park Road. She does not know how long that will take. C. Baker states it is a lengthy process. At least 6 months. T. Yasenchak states if they can get the Board the fine-tuned numbers, it might not be that drastic. D. Heller asks if there is any more comfort (at the end of the driveway 50'-100' of shared driveway) with the intention of possibly in the future making two separate driveways. C. Dake states that he would not see that as an improvement. He feels that the case for shared driveways is stronger than the mitigation that would be required there and he does not feel that would be enough for him personally. M. Gyarmathy and K. Conway agree with C. Dake. R. Roeckle states that he is not as adamant as they are. There would still be an issue of maintenance. That could be a huge problem. N. Querques states that he is not a fan of the shared driveway. J. Sabanos states that it is a safety issue to him. T. Yasenchak states that she is not opposed to the shared driveway because of the density of the lot, it being only two residences and the uniqueness of this case. There are times when shared driveways can be used as a tool although they don't like to see them used as a way to increase the number of lot. Perhaps it could be used as a tool to help with safety. She is not concerned with a portion of it in this unique situation. Where a lot of other lots that the Board sees are not so small or narrow where it meets the road. In this case they are very limited for any driveway. So for her, she is not so concerned about that. D. Heller states that the one thing they did do because it was a concern last time they were in front of the Board, they are trying to disperse the drainage and they added a check dam to the ditch to slow it down more. T. Yasenchak asks what are the limits of clearing. C. Baker states that there is a limit of clearing. T. Yasenchak asks C. Baker if NYS DEC ever gives hardship. C. Baker states that he has never heard of it. He thinks when they come back with 40M.P.H. they will still be 100' or more short. Even if they were able to move 50' he does not think they will be able to get it. It is his opinion. He does not think they have enough frontage with all their restrictions and that location. T. Bonacio asks if the Town is responsible for maintaining roads. On his way here he saw the same situation on Grange Road that has the same restrictions. T. Yasenchak states that there are codes that are in place now. Whether or not that road was done in keeping to the code at that time or maybe it wasn't. Any of the Boards determinations have to align with the existing code and a regulation from the State as it exists when the Board makes their determination.

NEW BUSINESS

Kasselman Solar # 641
TM# 152.-1-78.2

Special Use Permit
16 Denton Road

Scott Stevens is present for the applicant. He is here tonight for ground mount solar for their customer Stephen Vera. The project is a 16.2 kW System consisting of 40 LG solar modules. They will be utilizing solar foundations USA. They will not be the traditional concrete footings. They are attached to the property itself. There is very limited impact to the lot itself. It is 53'4"x 15'3". The height is 11' max height at the rear and 2.3' in the front. The array itself is tilted at a 33 angle. There are railroad tracks that go behind the property so no one will see the panels. T. Yasenchak asks if he can explain the lot configuration. Scott Stevens states there are two lots. As the Board can see the electrical service meter is on the property of the array. That is where the array will be located and they have a pool house there as well. 16 Denton Road is the residence. T. Yasenchak asks if both properties are owned by the same owner. S. Stevens states same ownership. R. Roeckle states that he believes the applicants have a driveway that comes down Denton Road. S. Stevens states yes. R. Roeckle asks if their driveway is in the City of Saratoga Springs. S. Stevens states yes. R. Roeckle states the bottom of their property line is the Town line. T. Yasenchak asks where it has frontage. R. Roeckle states that the lot doesn't. One lot does on Denton Road. The lot with the house doesn't, the lot where the proposed solar does have frontage. T. Yasenchak asks where the driveway is. She states this is very odd. S. Stevens states because the applicants have two parcels they wanted to outline that on the maps. He submitted a map that shows structures within 200' of their property borders. The map shows the outline of their entire property. The project itself is going to be on the western parcel. The electrical service meter is tied into their residence as well and is located on the larger parcel. That is where the solar array will be. It will power the pool house and whatever else the meter is tied to. T. Yasenchak asks M. Waldron for an interpretation. M. Waldron states as he understands it the principal primary use for the house is in the jurisdiction of the Town of Greenfield. The driveway (the entrance) is in the City of Saratoga. The pool house is on the smaller piece of property and cannot be subdivided. The only way this can be done with that piece of property is a lot line adjustment. They received a Certificate of Occupancy for the pool house in 2019 for the pool house. T. Yasenchak states the lot that has the principal structure does not have any frontage. She asks if they could sell that portion. M. Waldron states that it does not meet the zoning requirements. R. Roeckle states that pool house has its own septic system. He asks if it has its own well. M. Waldron states that that wasn't done under his administration but he can get the Board that information. S. Stevens states that they were informed that they do it is on the larger map just below the pool house. R. Roeckle states that the pool house is in fact a separate dwelling on separate property. It is the principal structure on this property. Therefore the solar array is servicing the principal structure on that property so the Board does not have the problem they thought they did. R. Roeckle asks if the pool house has everything that would make it a residence. M. Waldron states that it has everything that a pool house would have. T. Yasenchak states that just so the Board can consider it as a principal structure. M. Gyarmathy states that it has a well and septic so yes. T. Yasenchak asks if the height is 11'. S. Stevens states yes. T. Yasenchak asks the color of the array. S. Stevens states it will be steel beams and black on black. The framing is black. They are installed within a day and the deconditioning of them is just as easy. That is what the advantage is of having the ground screws. If you sell your property the solar array is the first thing out. T. Yasenchak asks about the glazing specifications. S. Stevens states that he will submit a specification sheet. They are built now so they don't reflect. N. Querques ask if the 16 kW. Will it be powering both residences? S. Stevens states that it is based on their consumption. N. Querques asks if they are adjustable. S. Stevens states only when they go in and physically adjust them. T. Yasenchak asks if the racking is silver or black. S. Stevens states silver and the panels are black. T. Yasenchak states that typically the Board asks for a more organic color. She asks how S. Stevens feels about changing the color does. S. Stevens states in rebuttal to that they

are open to it, but who is going to be seeing it. T. Yasenchak states that she does understand that, but it is in the Town's regulations. She does understand it but it is just about being consistent. J. Sabanos asks about the battery storage. S. Stevens states there are not batteries just converters. M. Gyarmathy states that all his questions have been answered. C. Dake and K. Conway agree. C. Baker asks if there will be any clearing. S. Stevens states no. T. Yasenchak states that the Board can review SEQRA at the next meeting. The Board sets a public hearing for September 8, 2020.

Hilton Tallman Case # 642
TM# 137.-1-32, 33, &34.1

Minor Subdivision
555 N. Creek Road

Kristen Darrah and Hilton Tallman are present. K. Darrah states that their goal is to take 16+ acres that the applicant currently owns and subdivide a portion of it and purchasing property to make a keyhole lot. There are a lot of details by the Benze's property. There are not any setback issues. There is a sliver of the property that will be a lot line adjustment. Essentially what is happening is there is a logging road and entrance with 40' to cut off a portion of William Benzes' property. By doing that they also examined the location of the existing residence and made sure there was no setbacks issues. With the house on the property there is plenty of space to do it. The road does not run right along the property line of Benze's property line. What is going to happen is a little sliver that is left on the other side (the eastern side) will be merged with that other parcel. The Benze's properties are pre-existing, non-conforming properties. Their goal is to have everyone's lot either to remain the same size or to end up a little bit bigger. Perk Tests have been done. In the bottom center of the map it shows the soil tests which were done by Gary Robinson P.E. She states that they took some sight distance measurements themselves using the proper protocol as far as car height and compared them to the speed limit of 55 M.P.H. The sight distance measurements are recorded at the top center of the map. The intersection distance requirement are posted for a 55 M.P.H, two lane road of 530' and up to 610'. Both of these measured distances exceed the recommended sight distances. T. Yasenchak states that they are doing a lot of lot line adjustments and creating one new lot. K. Darrah states correct. C. Baker states that his only question was the sight distance for the proposed lot. C. Baker asks if she did that herself. K. Darrah did it herself and her field crew. C. Baker asks if they followed the driver's eye criteria. K. Darrah states yes and explains. C. Baker states that he would like a written description of that. R. Roeckle asks since the William Benze's property is changing substantially he asks M. Waldron will he need a variance for that property. There is an existing garage on the property that would be his biggest concern. K. Darrah asks because of the setback. R. Roeckle states that yes because they are creating a new lot. N. Querques states that he feels there are too many keyhole lots on North Creek Road. In terms of the keyhole lot, it does not follow the Town's Comprehensive Plan. There are a lot of moving parts to get this keyhole lot. If this project meets other requirements he could be swayed by this one. K. Darrah states that there are a lot of them on this road. It's not like they are asking for an increase in density, but duly noted. M. Gyarmathy states he agrees with N. Querques about the keyhole lots, but it looks like there is a lot of land there and there is really good sight distance so he thinks the Board should think about it. C. Dake states he tends to be reluctant on keyhole lots, but he feels they did it right. K. Conway agrees. T. Yasenchak states that sometimes limit the Board does keyhole lots. This is in MDR-2 District and it is one lot and more the minimum size. She feels in this case it is used well. She is not opposed to this project. The Board has the ability to waive the public hearing however, she feels they should not. K. Darrah states that it the Benze's properties are most affected. T. Yasenchak states they could write a letter if they wish. The Board sets a public hearing for September 8, 2020.

Meeting adjourned at 8:15 p.m. All members in favor.

Respectfully submitted by,

Kimberley McMahon
Planning Board Administrative Assistant